

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PHYLLIS ATKINS,

Plaintiff,

v.

PACIFICARE OF WASHINGTON, INC.,
Defendant.

No. C04-5889RBL

ORDER GRANTING
PLAINTIFF'S MOTION
TO AMEND

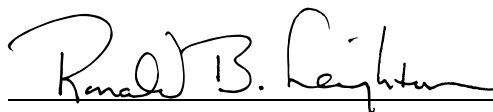
This matter is before the court on Plaintiff's Motion to Amend. [Dkt. #12].

The Motion is governed by Fed. R. Civ. P. 15(a), which provides in part:

A party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served or, if the pleading is one to which no responsive pleading is permitted and the action has not been placed upon the trial calendar, the party may so amend it at any time within 20 days after it is served. Otherwise a party may amend the party's pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires.

Defendant opposes the Motion, arguing that it would be futile. The Court does not agree, and the substantive merit of the claims sought to be added may be tested at a later stage of the case. The Plaintiff's Motion to Amend [Dkt #12] is Granted. Plaintiff's Motion to Shorten Time [Dkt. #13] is Denied as Moot.

DATED this 10th day of June, 2005.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE